

**FILED** JUN 16 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARNELL HUTCHINSON

CIVIL ACTION

v.

RAYMOND LAWLER, et al

09-5540

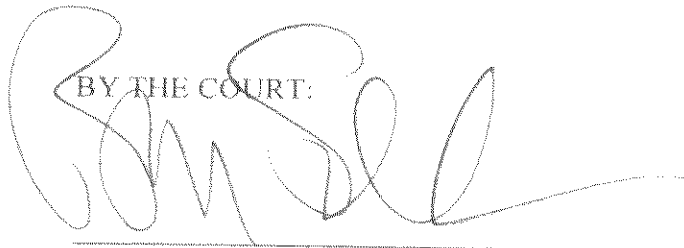
**ORDER**

AND NOW, this <sup>15</sup> day of <sup>JUN</sup> 2010, upon consideration of the Petition for Writ of Habeas Corpus, Petitioner's Memorandum of Law, Petitioner's Response to the Commonwealth's Response, the Commonwealth's Response, inclusive of all exhibits thereto, and after review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Petition for Writ of Habeas Corpus is DISMISSED without an evidentiary hearing; and
3. Petitioner has not met statutory requirements to have his case heard and no reasonable jurist could find this procedural ruling debatable; thus, a certificate of appealability is DENIED.

IT IS SO ORDERED.

BY THE COURT:



BERLE M. SCHILLER, J.

**ENTERED**

JUN 16 2010

**CLERK OF COURT**